

CLAIM AMENDMENTS

1. (Once amended) In a network of interconnected computers for establishing, managing and tracking commercial transactions, comprising [of]:
 - a. Customers interconnected to said network each customer having a unique identification code;
 - b. Affiliate sites interconnected to said network and programmed to display to a Customer visiting the Affiliate site information and linking instructions about one or more products or services available for commercial [transactions] transaction with [a Merchant or Merchants] at least one Merchant;
 - c. Clearinghouse site interconnected to said network and programmed to receive information regarding display of or selection of said display information on the Affiliate site, [and] with the ability to read the Customer's unique identification code, and to store said code in memory, and further to provide connection of said Customer to an identified Merchant site;
 - d. Clearinghouse site [also sends] sending information and programming to the Customer site so that superimposed upon part of the Merchant's site the Customer sees other information within a Frame as chosen by the Clearinghouse;
 - e. Customer may by choosing an information display on the Frame be transported to another Merchant site, [another] a non-Merchant site, a Clearinghouse maintained search engine or listing of other sites that may be of interest to the Customer [wherein] wherein the Clearinghouse stores and maintains the Customer's identification code, tracks transactions the Customer makes with any Merchant that is a member of the network, and tracks intelligence related to Affiliate-generated transactions for compensating a referring affiliate.

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2. (Once amended) The system of claim 1 wherein [a single] any interconnected Affiliate may receive credit from multiple Merchants arising from transactions from initial and subsequent visits by the Customer to the Clearinghouse.
3. (Once amended) The system of claim 1 wherein [a] any Customer that visits [an] any interconnected Affiliate site, and selects a Merchant display, is transported both to the Merchant's site and a Frame with additional information of possible interest to the Customer.
4. (Newly submitted) The system of claim 1 wherein compensation is paid responsive to an action, to an Affiliate and/or Clearinghouse.
5. (Newly submitted) The system of claim 4 wherein the clearinghouse site receives compensation from each said action.
6. (Newly submitted) The system of claim 5 wherein compensation is calculated based on a percentage of an amount paid to an affiliate.
7. (Newly submitted) The system of claim 6 wherein the percentage is determined as a calculation of gross revenue generated by an Affiliate and/or Clearinghouse.
8. (Newly submitted) The system of claim 7 wherein the compensation is divided among at least the Affiliate and the Clearinghouse according to a revenue formula.

9. (Newly submitted) The system of claim 1 wherein compensation is based on an impression revenue formula.
10. (Newly submitted) The system of claim 9 wherein said impression revenue is generated by an impression revenue calculation based on the number of displayed merchant advertising banners.
11. (Newly submitted) The system of claim 10 wherein the banners are displayed on the information display.
12. (Newly submitted) The system of claim 1 wherein the tracked intelligence includes frequency of visits to a link.
13. (Newly submitted) The system of claim 1 wherein the tracked intelligence includes frequency of visits to sub-affiliates.
14. (Newly submitted) The system of claim 13 wherein each affiliate can be linked to an unlimited number of sub-affiliates.
15. (Newly submitted) The system of claim 14 wherein impression revenue is generated by an impression revenue calculation based on the number of hits by sub-affiliates.

16. (Newly submitted) A method of establishing, managing and tracking commercial transactions in a network of interconnected computers, comprising the steps of:
- a. interconnecting a plurality of customers to said network each customer having a unique identification code;
 - b. interconnecting a plurality of affiliate sites to said network;
 - c. displaying to a customer visiting any affiliate site information and linking instructions about a product or service available for commercial transaction with at least one merchant;
 - d. interconnecting a clearinghouse site to said network, programmed to receive information regarding display of or selection of said information displayed on a selected affiliate site together with the associated customer identification code, storing said code in memory, and providing connection of said customer to an identified merchant site;
 - e. sending information and programming from the clearinghouse site to the customer site so that superimposed upon part of the merchant's site the customer sees other information within a frame as chosen by the clearinghouse;
 - f. enabling customer to be transported to another site by choosing an information display on the frame; and
 - g. compensating referring affiliates.

17. (Newly submitted) The method as recited in claim 16 comprising the additional step of selecting a site from the group including a merchant site, a non-merchant site, a search engine, or other sites of potential interest to the customer.

18. (Newly submitted) The method as recited in claim 16 comprising the additional step of selecting a search engine site associated with the clearinghouse.

19. (Newly submitted) The method as recited in claim 16 comprising the additional step of storing and maintaining a customer's identification code.

20. (Newly submitted) The method as recited in claim 19 comprising the additional step of tracking customer transactions.

21. (Newly submitted) The method as recited in claim 20 comprising the additional step of associating customer transactions with a site from the group including a merchant site, a non-merchant site, a search engine, or other sites of potential interest to the customer.

22. (Newly submitted) The method as recited in claim 21 comprising the additional step of tracking intelligence related to affiliate-generated transactions.

Claims 1-3 are pending in the above-referenced application. Corrections have been made to the claims as noted to fully address and overcome the non-art rejections regarding necessary antecedent bases and provide necessary clarity with respect to claims noted in the Office Action, and those corrections are believed to fully address and overcome the Examiner's rejections thereto, and the Examiner's approval thereof is respectfully solicited.

With respect to the art-based rejection of claims 1-3 as filed, the present invention is directed to an interactive computer system and method that identifies customers who are perusing product and service information at an affiliate site, and provides an intelligent framing protocol tailored to selected subject matter, providing an open-architecture "shopping mall" network by which the customer is provided with exposure to complementary products and services in a looped-back feedback system. The feedback system is based on banner clicks assessed by the clearinghouse which tracks subsequent consumer information including sales and/or visits based on other prior sales and/or visits as well as through analysis of banner-based leads to subsequent sales. According to the invention, this open-architecture feedback system thus pays out an affiliate sales commission only upon the event of an approved action, such as an affiliate-linked sale based on the click-throughs by the customer during his/her surfing through a plurality of affiliated sites, such payout being split among the affiliated sites according to a payment formula. Web-site sales by affiliates are related back to the initiating affiliate link provided on the intelligent frame, providing a return-loop system for rewarding the initiating affiliate site with a portion of the sales commission, unlike the prior art which is arranged in a linear manner with no feedback to the initiating web site vendor.

The prior art cited and applied against the claims of record simply do not anticipate, motivate or render obvious any of the claims of record as amended or added as presented herein. U.S. Pat. No. 5,948,061 to Merriman et al. is directed only to providing an interconnected system to which advertising content from a advertiser web site is displayed to a user via a browser program. Applicant notes that it is a stated object of the Merriman et al. reference to "provide control over the frequency of exposure to users for advertisements appearing on web pages over time." (Col. 1, line 66-col. 2, line 1). This is achieved through what is now considered common cookie technology, in which the received IP address of the web browser user, in connection with a selection protocol to determine which advertising object should be selected if two or more advertising objects have matching criteria (col. 6, line 12-col. 14). Accordingly, the Merriman et al. patent does not and cannot anticipate the present claimed invention and in fact teaches away from the present invention because it requires the imposition of limiting selection criteria, unlike the present invention which encourages a return-loop system to earlier referring affiliates who are ultimately financially rewarded for associating with a downstream referring affiliate from which the user purchases goods or services. Accordingly, Merriman et al. does not and cannot anticipate the invention as now claimed and the Examiner is respectfully solicited to so find.

U.S. Pat. No. 5,825,883 to Archibald et al., as applied to claim 2, is recited and combined with Merriman et al. for disclosing a credit receipt for providing an account of
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transactions conducted over a merchant affiliate provider network by use of a clearinghouse-type provider. Applicant respectfully submits that Archibald et al., *inter alia*, provides accounting information to a user, but does not track intelligence related to affiliate-generated transactions as a means for providing compensation according to a formula as required by the present invention. Lastly, Safadi (WO 99/39506) is cited and applied for providing for digital advertisement insertion in a bit stream, to provide commercial content over packet-based networks. However, it is submitted that such technology is not suggested or motivated to achieve the present claimed invention, such information tracks intelligence related to Affiliate-generated transactions for compensating a referring affiliate. Accordingly, Safadi does not and cannot render obvious the invention as now claimed and the Examiner is respectfully solicited to so find.

Claims 4-22 have been added to further define and recite the present invention, and for the reasons provided above are also believed to define over the cited and applied art of record and the Examiner is respectfully solicited to so find.

Thus, claims 1-22 as now presented are in allowable condition and the Examiner is respectfully solicited to so find.

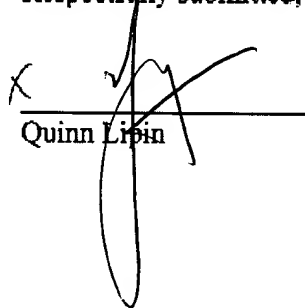
In view of the amendments to the claims, and the foregoing remarks, it is believed that all claims, and the application, are in condition for allowance. Reconsideration and retraction of the rejections and objections and issuance of a Notice of Allowance is respectfully requested. Should there be any questions regarding this application, the Examiner is invited to contact the undersigned attorney at the phone number listed below.

Respectfully submitted,

November 16, 2005

Date

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